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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/085,069	03/01/2002	Lynn G. Hilden	P56668	9121	
7.	590 02/12/2003				
Robert E. Bushnell Suite 300 1522 K Street, N.W.			EXAMINER		
			BEHREND, HARVEY E		
Washington, D	C 20005		ART UNIT	PAPER NUMBER	
			3641		

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. Applicant(s) 10/085069 Examiner Group Art Unit

	Behrand		3641	
—The MAILING DATE of this communication appears	on the cover sheet bene	eath the con	respondence ad	dress—
Period for Reply				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO E OF THIS COMMUNICATION.	XPIRE 870	MONTH(S) F	FROM THE MAIL	ING DATE
 Extensions of time may be available under the provisions of 37 CFR 1.13 from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, such period shall, by default, exp Failure to reply within the set or extended period for reply will, by statute, 	within the statutory minimum or size SIX (6) MONTHS from the	of thirty (30) da mailing date o	ays will be considere of this communication	d timely. n .
Status			•	
☐ Responsive to communication(s) filed on				•
☐ This action is FIMAL.	•			-
 Since this application is in condition for allowance except for accordance with the practice under Ex parte Quayle, 1935 C 		tion as to th	ne merits is clos	ed in
Disposition of Claims				•
Claim(s) 1-35		is/are pe	nding in the appl	ication.
Of the above claim(s)				
□ Claim(s)		is/are all	owed.	
□ Claim(s)		is/are rej	ected.	
□ Claim(s)		is/are ob	jected to.	
D <c(aim(s)< td=""><td colspan="2"> are subject to restriction or election</td></c(aim(s)<>			are subject to restriction or election	
Application Papers		requirem		
☐ See the attached Notice of Draftsperson's Patent Drawing R	eview. PTO-948.			
☐ The proposed drawing correction, filed on	• •	isapproved.		
☐ The drawing(s) filed on is/are objected	• •	••		
☐ The specification is objected to by the Examiner.				
☐ The oath or declaration is objected to by the Examiner.				
Priority under 35 U.S.C. § 119 (a)-(d)				
 □ Acknowledgment is made of a claim for foreign priority under □ All □ Some* □ None of the CERTIFIED copies of the □ received. □ received in Application No. (Series Code/Serial Number)_ □ received in this national stage application from the Internal 	priority documents have		•	
*Certified copies not received:			·	
Attachment(s)				
Chafarrantian Disabases Of the CAS DEC. 4440 D				·

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). ___ ☐ Interview Summary, PTO-413

☐ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other_

Office Action Summary

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

Part of Paper No.___

°U.S. GPO: 1998-454-457/97505

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Art Unit: 3641

1. This application contains claims directed to the following patentably distinct species of the claimed invention. Applicant is required under 35 USC 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be patentable. Currently, no claim is generic.

- I. Wherein the tubing is semi-flexible (as illustrated in Fig. 3 and described in the paragraph bridging pages 13 and 14 of the specification).
 - II. Wherein the tubing is coiled (as illustrated in Fig. 27).
- 2. Upon election of one of the species set forth above as I and II, applicant is further required under 35 USC 121 to elect a single specie of what <u>each</u> of the first and second ends of the transfer line are connected (i.e. to a <u>single</u> end fitting as in Fig. 9, or to a multi-port manifold as in Fig. 26A) for purposes of examination. This additional requirement is to facilitate examining due to the diverse configurations disclosed and claimed.
- 3. If applicant elects a multi-port manifold, applicant is further required under 35 USC 121 to elect the number of ports in the manifold (i.e. a two-port, a three-port or a four-port manifold) for purposes of examination.
- 4. Upon election of one of the species set forth above as I and II, applicant is further required under 35 USC 121 to elect a single specie of each end fitting present, i.e. whether PP, standard loaded LE, standard loaded HE, or the loaded HE end of Fig. 32, for purposes of examination. This additional requirement is to facilitate examining due to the diverse combinations disclosed and claimed.

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5. Applicant is advised that a reply to the election of species requirements, must include an identification of the species that is elected consonant with the requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species, MPEP 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harvey Behrend whose telephone number is (703) 305-1831. The examiner can normally be reached on Tuesday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone, can be reached on (703) 306-4198. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 306-4195.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Behrend/kl January 16, 2003

> HARVEY E. BEHREND PRIMARY EXAMINER

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